

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>Ruth Parker,</b> Plaintiff, Pro se  <b>v.</b>  <b>Dennis L. and Diane Carey,</b> Defendants.	<b>CIVIL ACTION</b>  <b>NO. 12-4267</b>
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**ORDER GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

**IN PART**

AND NOW, this 11<sup>th</sup> day of December, 2012, upon consideration of Defendants' Motion for Summary Judgment (ECF 5), Plaintiff's Motion for Change of Venue and Dismissal of Summary Judgment (ECF 10), and Defendants' Reply (ECF 11), and the arguments put forth at the oral argument on December 11, 2012, and for the reasons stated in the Memorandum of Law issued on this day, it is hereby ORDERED as follows:

1. Defendant's Motion for Summary Judgment (ECF 5) is GRANTED in part, as to Plaintiff's federal claims under the Clean Water Act and National Historic Preservation Act.
2. Plaintiff's cause of action for trespass is DISMISSED without prejudice.
3. Plaintiff's Motion for Change of Venue and Dismissal of Summary Judgment (ECF 10) is DENIED.
4. Judgment is ENTERED in favor of Defendant and against Plaintiff as to Plaintiff's claims under the Clean Water Act and National Historic Preservation Act.
5. The Clerk shall close this case.

**BY THE COURT:**

/s/ Michael M. Baylson

MICHAEL M. BAYLSON, U.S.D.J.